

FORM TO BE USED BY A PRISONER IN FILING A CIVIL RIGHTS COMPLAINT
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

Santo M. Islaam

(Enter above the full name of the plaintiff in this action)

V.

%o. Kubicki, %o. Fuller,
%o. Stern, SIS Lt. Bodge,
Admin. E. Bradely (Warden)

(Enter the full name of the defendant or defendants in this action)

COMPLAINT

Civil Action No. _____

(To be supplied by the Clerk of the Court)

RECEIVED

DEC 13 2019

AT 8:30 _____ M
WILLIAM T. WALSH, CLERK

INSTRUCTIONS; READ CAREFULLY

1. This complaint must be legibly handwritten or typewritten, signed by the plaintiff and subscribed to under penalty of perjury as being true and correct. All questions must be answered concisely in the proper space on the form. Where more space is needed to answer any question, attach a separate sheet.
2. In accordance with Rule 8 of the Federal Rules of Civil Procedure, the complaint should contain (1) a short and plain statement of the grounds upon which the court's jurisdiction depends, (2) a short plain statement of the claim showing that you are entitled to relief, and (3) a demand for judgment for the relief which you seek.
3. You must provide the full name of each defendant or defendants and where they can be found.
4. You must send the original and one copy of the complaint to the Clerk of the District Court. You must also send one additional copy of the complaint for each defendant to the Clerk. Do not send the complaint directly to the defendants.
5. Upon receipt of a fee of \$400.00 (a filing fee of \$350.00, and an administrative fee of \$50.00), your complaint will be filed. You will be responsible for service of a separate summons and copy of the complaint on each defendant. See Rule 4, Federal Rule of Civil Procedure.

6. If you cannot prepay the \$400.00 fee, you may request permission to proceed in forma pauperis in accordance with the procedures set forth in the application to proceed in forma pauperis. See 28 U.S.C. §1915. (If there is more than one plaintiff, each plaintiff must separately request permission to proceed in forma pauperis.)

7. If you are given permission to proceed in forma pauperis, the \$50.00 Administrative Fee will not be assessed. The Clerk will prepare and issue a copy of the summons for each defendant. The copies of summonses and the copies of the complaint which you have submitted will be forwarded by the Clerk to the United States Marshal, who is responsible for service. The Marshal has USM-285 forms you must complete so that the Marshal can locate and serve each defendant. If the forms are sent to you, you must complete them in full and return the forms to the Marshal.

QUESTIONS TO BE ANSWERED

1a. Jurisdiction is asserted pursuant to (CHECK ONE)

☐ 42 U.S.C. §1983 (applies to state prisoners)

☒ Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971) and 28 U.S.C. § 1331 (applies to federal prisoners)

If you want to assert jurisdiction under different or additional statutes, list these below:

1b. Indicate whether you are a prisoner or other confined person as follows:

☐ Pretrial detainee

☐ Civilly-committed detainee

☐ Immigration detainee

☐ Convicted and sentenced state prisoner

☒ Convicted and sentenced federal prisoner

☐ Other: (please explain) _____

2. Previously Dismissed Federal Civil Actions or Appeals

If you are proceeding in forma pauperis, list each civil action or appeal you have brought in a federal court while you were incarcerated or detained in any facility, that was dismissed as frivolous or malicious, or for failure to state a claim upon which relief may be granted. Please note that a prisoner who has on three or more prior occasions, while detained in any facility, brought an action or appeal in a federal court that was dismissed as frivolous or malicious, or for failure to state a claim upon which relief may be granted, will be denied in forma pauperis status unless that prisoner is under imminent danger of serious physical injury. See 28 U.S.C. § 1915(g).

a. Parties to previous lawsuit:

Plaintiff(s): _____

Defendant(s): _____

b. Court and docket number: _____

c. Grounds for dismissal: () frivolous () malicious

() failure to state a claim upon which relief
 may be granted

d. Approximate date of filing lawsuit: _____

e. Approximate date of disposition: _____

If there is more than one civil action or appeal, describe the additional civil actions or appeals using this same format on separate sheets.

3. Place of Present Confinement? USP Beaumont (Texas)

4. Parties

(In item (a) below, place your name in the first blank and place your present address in the second blank. Do the same for additional Plaintiffs, if any.)

a. Name of plaintiff: Santo M. Islam,

Address: P.O. BOX 26030, Beaumont, TX 77720

Inmate#: 64919-050

b. First defendant:

Name: %o. Kubicki.

Official position: Correctional officer

Place of employment: USP Canaan, Waymart, PA

How is this person involved in the case?

(i.e., what are you alleging that this person did or did not do that violated your constitutional rights?)

Violation of Due Process, false incarceration.
This %o. Kubicki, lied and provided false info. to have
me place in Detention pending a frivolous and
frustrating SIS investigation. 7 Months.

c. Second defendant:

Name: %o. Fuller.

Official position: Correction officer

Place of employment: USP Canaan, Waymart, PA

How is this person involved in the case?

(i.e., what are you alleging that this person did or did not do that violated your constitutional rights?)

This officer Fuller, Prevented/denied me access to
the Federal courts, by going in my property and
taking Civ. act. writ and showing it to staff
and throwing it away. Violation of due Process of the law.

d. If there are more than two defendants, attach a separate sheet. For each defendant specify: (1) name, (2) official position, (3) place of employment, and (4) involvement of the defendant. See attached:

Attached:

d. Third defendant.

Name: Property % Stern, SHU

Official Position: Property Officer, SHU

Place of employment: USP Canaan, Waymart, PA

How is this person involved in the case?

This officer violated my constitutional right by a) violation of Due process, b) conspiring with %, Fuller, in mis-appropriating civ. act/ federal court documents from my property. And by disregarding my personal property by stealing, destroying, or giving it to another Not following Fed Policy on/with inmate Property/Procedures!

e. Fourth Defendant.

Name: SIS. Invst. Lt. Bodge

Official Position: SIS- Investigator

Place of employment: USP Canaan, Waymart, PA.

How is this person involved in the case?

This SIS Lt. Bodge, is involved by denying me the right to Due Process of law, by conducting a bias investigation against me w/o. interviewing me, informing me of any violation or asking me my side of the allegations against me. And for writing a false report in support of %.

~~K~~

cont.

Cont. Kubickis, false/fictitious allegations and
false report, falsifying a report!

E. Fifth Defendant.

Name: Administrator: E. Bradely,

Official Position: Warden/Administrator

Place of employment: USP Canaan, Waymart PA.

How is this person involved in the case?

This person is involved in my case by violating
my right to Due Process of Law, by denying me
a fair and impartial hearing. And ignoring all
my request/remedies, while telling me FBOP has
its policies and Canaan has its own policy. I
committed no infraction, nor was there any
incident or incident report in my case to
validate me being placed in Detention for 7
months then shipped all the way across the
country to Texas... Also violating a court order!

5. I previously have sought informal or formal relief from the appropriate administrative officials regarding the acts complained of in the Statement of Claims on page 6.

☒ Yes ☐ No

If your answer is "Yes," briefly describe the steps taken, including how relief was sought, from whom you sought relief, and the results.

Warden, A.W. Capt. SIS Lt. Bodge, via Cop-out, BP8, 9, and 10, finally to region and every effort was made to thwart my process by staff/counselors.

If your answer is "No," briefly explain why administrative remedies were not exhausted.

6. Statement of Claims

(State here as briefly as possible the facts of your case. Describe how each defendant violated your rights, giving dates and places. If you do not specify how each defendant violated your rights and the date(s) and place of the violations, your complaint may be dismissed. Include also the names of other persons who are involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach a separate sheet if necessary.)

ON 2-22-19 % Kubicki, while in the capacity of Lt. had me falsely place in Detention under a false pretence. Allegedly claiming "my people didn't want me on the pound." I was in Det. 7-months allegedly pending an SIS investigation which was bias and dragged out deliberate by Lt. Bodge (SIS) invst. on or about 3-20-19 I was told by Lt. Rosler then still-

that I was in SHU because there were individuals who were allegedly scared of me. Then on/about 6-12/19-19, after several cop-outs/BPG, submitted, Lt. Bodge, tells me I was in Det. because of a threat assessment, somebody dropped a slip threatening my life. (Please not the inconsistency (lies) and change of stories) during this time I was denied, access to the courts, Recreation I was never allowed to go to Rec. Yr, Fuller, went in my property took 2-manila envelopes containing civ. act. writ already prepared, I never got it back, sd. he had gave those to Yr, Stein, SHU-Property officer who refuse to give me a inventory slip of my property and upon being shipped out discarded all my personal property and only sent "most" of my legal papers but not the civ. act, or previous remedies. Yr, Fuller took Admin E. Bradely, finally decided to respond to my BPG, saying that I had a threat to staff, no incident, no incident report this was the justification needed to get me shipped out. These officers even the Warden violated my Due Process of Law and FBO P Policy's. Denying me fair/impartial hearing. I never received a) BP A0288 incident Report, b) Disciplinary process § 541.15(a)(b). Repeatedly discarded, destroyed, threw away my court documents, my Personal Property being vindictive and bias/prejudice. Admin E. Bradely, clearly stated this is USP Canada We have our own policies, basically we do what we want here.

7. Relief

(State briefly exactly what you want the Court to do for you. Make no legal arguments. Cite no cases or statutes.)

Reparations in the form of \$400.00 dollars per day for everyday I was illegally detained in USP-Canada SHU and \$150,000 for pain and suffering. A unbiased and formal -

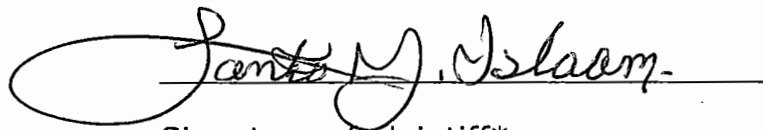
Investigation of everyone involved and their involvement in this case. And those found guilty prosecuted by the federal courts to deter this professional misconduct, Abuse of Authority, and blatant denial of Due Process of Law according to the constitution. Right to confront my accuser, Right to be represented, to have a fair hearing, etc and all.

8. Do you request a jury or non-jury trial? (Check only one)

☒ Jury Trial () Non-Jury Trial

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 13 day of November, 2019



Signature of plaintiff*

(*EACH PLAINTIFF NAMED IN THE COMPLAINT MUST SIGN THE COMPLAINT HERE. ADD ADDITIONAL LINES IF THERE IS MORE THAN ONE PLAINTIFF. REMEMBER, EACH PLAINTIFF MUST SIGN THE COMPLAINT).